

Article 4: Sewers**Division 3: General Provisions**

(“General Provisions” added 6-6-1983 by O-15984 N.S.)

§64.0300 Administration

The City Manager shall administer, implement and enforce the provisions of this ordinance. Any powers granted to or duties imposed upon the City Manager may be delegated by the City Manager to persons in the employ of the City.

The City Manager shall make and enforce regulations necessary to the administration of this ordinance. He may amend such regulations from time to time as conditions require. These regulations shall be consistent with the general policy established herein by the City Council.

(“Administration” added 6-6-1983 by O-15984 N.S.)

§64.0301 Penalties for Violations**(a) Public Nuisance**

Discharge of wastewater in any manner in violation of this ordinance or of any order issued by the City Manager as authorized by this ordinance, is hereby declared a public nuisance and shall be corrected or abated as directed by the City Manager. Any person creating such a public nuisance is guilty of a misdemeanor.

(b) Injunction

Whenever a discharge of wastewater is in violation of the provisions of this ordinance, or otherwise causes or threatens to cause a condition of contamination, pollution, or nuisance, the City Manager may cause the City to seek a petition to the Superior Court for the issuance of a preliminary or permanent injunction or both, as may be appropriate in restraining the continuance of such discharge.

(11-2000)

(c) Costs of Damage

Any person who violates any provision of this ordinance or who has a discharge which causes a deposit, obstruction, damage, or any other impairment to the City's facilities, shall become liable to the City for all expense, loss, or damage occasioned the City by such violation or discharge.

(d) Falsifying of Information

Any person who knowingly makes any false statement, representation, record, report, plan, or other document filed with the City Manager or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this ordinance, shall be guilty of a misdemeanor.

(e) Termination of Service

The City may revoke any Industrial Wastewater Discharge Permit issued pursuant to Municipal Code Chapter 6, Article 4, Division 5, or may terminate or cause to be terminated any wastewater service to any premise if a violation of any provision of this ordinance is found to exist or if a discharge of wastewater causes or threatens to cause a condition of contamination, pollution, or nuisance. This provision is in addition to other statutes or rules authorizing termination of service for delinquency in payment. When deemed necessary by the City Manager for the preservation of public health or safety or for the protection of public or private property, the City Manager may suspend sewer service to any person using the wastewater system in a manner to endanger the public health or safety, or public or private property. In suspending service, the City Manager may sever all pertinent connections to the public sewer. If such endangerment shall be imminent, then the City Manager may act immediately to suspend sewer service without notice or warning to said person.

(f) Civil Penalties - Procedures.

Any person who violates any provision of this division or permit condition or requirement or who discharges wastewater which causes pollution, or who violates any cease and desist order, prohibition, effluent limitation, national pretreatment standard, or Administrative Order shall be liable civilly for a penalty not to exceed \$2,500 per day per violation. Such civil penalty shall be assessed and collected in accordance with the procedures set forth in San Diego Municipal Code sections 12.0801-12.0810.